

THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2008-0128

REQUEST: Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code rezoning the property locally known as 5005 Spicewood Springs Road from SF-2 to SF-6.

DEPARTMENT COMMENTS:

The City Council requested that the staff make a presentation to the Council regarding some environmental issues on the property at second reading. There is a memo in the back-up listing the possible variances that the property could face at the time of site plan submittal.

OWNER/APPLICANT: Morin Scott

AGENT: Wiler & Associates (Holland Wiler)

DATE OF FIRST READING: September 25, 2008, The amended motion to hold the public hearing open and approve on first reading townhouse and condominium residence (SF-6) district zoning was approved on Council Member Martinez' motion, Council member Morrison's second on a 7-0 vote. Staff was directed to inform Council on what will be required regarding code, variances, slopes etc. prior to 2nd and 3rd reading.

DATE OF SECOND READING: October 16th, 2008, The public hearing was closed and the second reading of the ordinance for townhouse and condominium residence (SF-6) district zoning with a limitation of four units was approved on Council Member Leffingwell's motion, Mayor Wynn's second on a 7-0 vote.

CITY COUNCIL HEARING DATE: January 15th, 2009

ORDINANCE NUMBER:

CITY COUNCIL ACTION:

ASSIGNED STAFF: Clark Patterson



MEMORANDUM

TO: Mayor Wynn and City Council Members

FROM: Greg Guernsey, AICP, Director
Neighborhood Planning and Zoning Department

DATE: January 6, 2009

RE: C14-2008-0128 5005 Spicewood Springs Road

On September 25, 2008, the City Council considered the above mentioned case and voted to hold the public hearing open and approve on first ordinance reading townhouse and condominium residence (SF-6) district zoning. The Council directed staff to inform them on what would be required regarding Code, variances, slopes etc. prior to 2nd and 3rd reading.

On October 16, 2008, the City Council requested that the applicant prepare a conceptual site layout for city staff to evaluate for potential environmental variances. Listed below is a brief summary of the possible variances that the property owner could face at the time of site plan review based on the submitted layout.

ENVIRONMENTAL:

The four units are shown near the uppermost slope of the site on slopes of approximately 70% gradient. The access drive is through the joint access on the adjoining lot. It is unclear as to whether a portion of the duplex building is located in the Water Quality Transition Zone (WQTZ). However, the impervious cover in the WQTZ appears to be less than 18%. Overall impervious cover is approximately 11 %.

Probable Variances from Title 25, Land Development; Chapter 25-8, Environment, of the Land Development Code; based on site characteristics

- Cut/fill greater than 4 feet
- Construction of buildings or parking lots on slopes greater than 25%;

- Construction of roadways or driveways on slopes greater than 15%;

Other Potential Site Constraints

- Protection of trees
- Placement of access driveway

SITE PLAN:

If the property is zoned SF-6, then it is subject to compatibility standard requirements and must setback 25' from the adjacent SF-3 (to the Southeast). The design regulations for compatibility (25-2-1067(G)) states that a parking area or driveway may not be constructed 25 feet or less from a lot that is: (1) in an SF-5 or more restrictive zoning district; or (2) on which a use permitted in an SF-5 or more restrictive zoning district is located. The plans provided show a driveway (paved area) within that 25' compatibility setback. A variance will be required. Below are my comments from the review.

Site plans will be required for any new residential development other than single-family, duplex residential or a two family residential (garage apt.) use.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the South & East property lines, the following standards apply:

No structure may be built within 25 feet of the property line.

No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.

No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

No parking or driveways are allowed within 25 feet of the property line.

A landscape area at least 15 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.

An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

Additional design regulations will be enforced at the time a site plan is submitted.

TRANSPORTATION:

There are sight distance issues that will need to be addressed for any driveway access. Shared access from a safer access point would be preferable, but staff cannot deny the applicant vehicular access to the site.

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0128 – 5005 Spicewood Springs

Z.A.P DATE: 08-05-2008

09-02-2008

09-16-2008

AREA: 2.37 acres

APPLICANT: Morin Scott

AGENT: Wiler & Associates
(Holland Wiler)

ADDRESS: 5005 Spicewood Springs Road

NEIGHBORHOOD PLAN AREA: None

CAPITOL VIEW: No

T.I.A.: Waived – See the Transportation
Reviewer's comments.

SCENIC ROADWAY: Yes

WATERSHED: Bull Creek

DESIRED DEVELOPMENT ZONE: No

ZONING FROM: SF-2 Single Family Residence (Standard lot)

ZONING TO: LO-MU (Limited Office – Mixed Use)

SUMMARY STAFF RECOMMENDATION:

Staff recommends LO-MU-CO, Limited Office - Mixed Use - Conditional Overlay Combining District Zoning. The conditional overlay will limit the vehicle trips to 2000 a day.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

The Zoning and Platting Commission at their regularly scheduled meeting of September 16th, voted to deny the zoning change request.

DEPARTMENT COMMENTS:

The property is currently an unplatted lot that is undeveloped. This segment of Spicewood Springs Road, between Capital of Texas Highway and Mesa Drive, has undergone a twenty year transformation to predominantly Limited Office zoning. This trend to move to Limited Office zoning dates back to 1982. The applicant has also requested the inclusion of the Mixed Use (MU) combining district overlay for the subject property. The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development. Within the districts that allow mixed use development, uses may be combined either vertically in the same building, or horizontally in multiple buildings, or through a combination of the two, depending on the standards of the district. In an MU combining district that is combined with a Limited Office (LO) base district, the minimum site area for each dwelling unit is:

district that is combined with a Limited Office (LO) base district, the minimum site area for each dwelling unit is:

- (i) 1,600 square feet, for an efficiency dwelling unit;
- (ii) 2,000 square feet, for a one bedroom dwelling unit; and
- (iii) 2,400 square feet, for a dwelling unit with two or more bedrooms.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	SF-2	Vacant lot
NORTH	PUD	Multi-family
SOUTH	SF-2	Undeveloped
EAST	MF-3	Vacant/undeveloped
WEST	PUD	Multi-family

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-05-0202 (Cell Tower)	From I-SF-3 to SF-6-CO	Approved SF-6-CO [Vote: 7-0]	Approved SF-6-CO [Vote: 7-0]
C14-03-0165	From SF-3 to LO	Approved LO [Vote: 9-0]	Approved LO [Vote: 5-0]
C14-99-0037	From LO-CO to LO-CO	Approved LO - CO [Vote: 5-0]	Approved LO - CO [Vote: 9-0]
C14-83-109	From "A-1 ST Height and Area" to "O-1" "SF-3 to LO"	Approved "O-1" "LO" [Vote: 8-0]	Approved "O-1" "LO" [Vote: 5-0]

NEIGHBORHOOD ORGANIZATION:

- Homeless Neighborhood Assn.
- Northwest Austin Civic Assn.
- 2222 Coalition of Neighborhoods
- Bull Creek Homeowners Assn.
- Bull Creek Foundation
- Courtyard Homeowners Assn.
- Balcones Civic Assn.
- Austin Neighborhoods Council
- Concerned Citizens for P & B of FM 2222

- Old Spicewood Springs Rd. Neighborhood Assn.

SCHOOLS:

Hill Elementary School
Murchison Middle School
Anderson High School

ENVIRONMENTAL:

- 1) According to current maps, the site is located very near the Edwards Aquifer Recharge Zone. A geological and / or topographical analysis of the site may be needed to determine the exact boundaries of the Edwards Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

- 2) According to flood plain maps, there is a flood plain within close proximity of the project location. Based upon the close proximity of the flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone shall be limited to 18%.
- 3) The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.
- 4) Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- 5) At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
- 6) Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.
- 7) At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

Transportation

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117] No additional right-of-way is needed at this time.

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Spicewood Springs	118'	40'	Arterial	No	No	No

SITE PLAN:

1. Site plans will be required for any new development other than single-family or duplex residential.
2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Compatibility Standards

- a. The site is subject to compatibility standards. Along the South & East property lines, the following standards apply:
 - b. No structure may be built within 25 feet of the property line.
 - c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - e. No parking or driveways are allowed within 25 feet of the property line.
 - f. A landscape area at least 15 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
 - g. for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
 - h. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
3. Additional design regulations will be enforced at the time a site plan is submitted.

CITY COUNCIL DATE: September 25, 2008

ACTION: The amended motion to hold the public hearing open and approve on first reading townhouse and condominium residence (SF-6) district zoning was approved on Council Member Martinez' motion, Council member Morrison's second on a 7-0 vote. Staff was directed to inform Council on what will be required regarding code, variances, slopes etc. prior to 2nd and 3rd reading.

CITY COUNCIL DATE: October 16, 2008

ACTION: The public hearing was closed and the second reading of the ordinance for townhouse and condominium residence (SF-6) district zoning with a limitation of four units was approved on Council Member Leffingwell's motion, Mayor Wynn's second on a 7-0 vote.

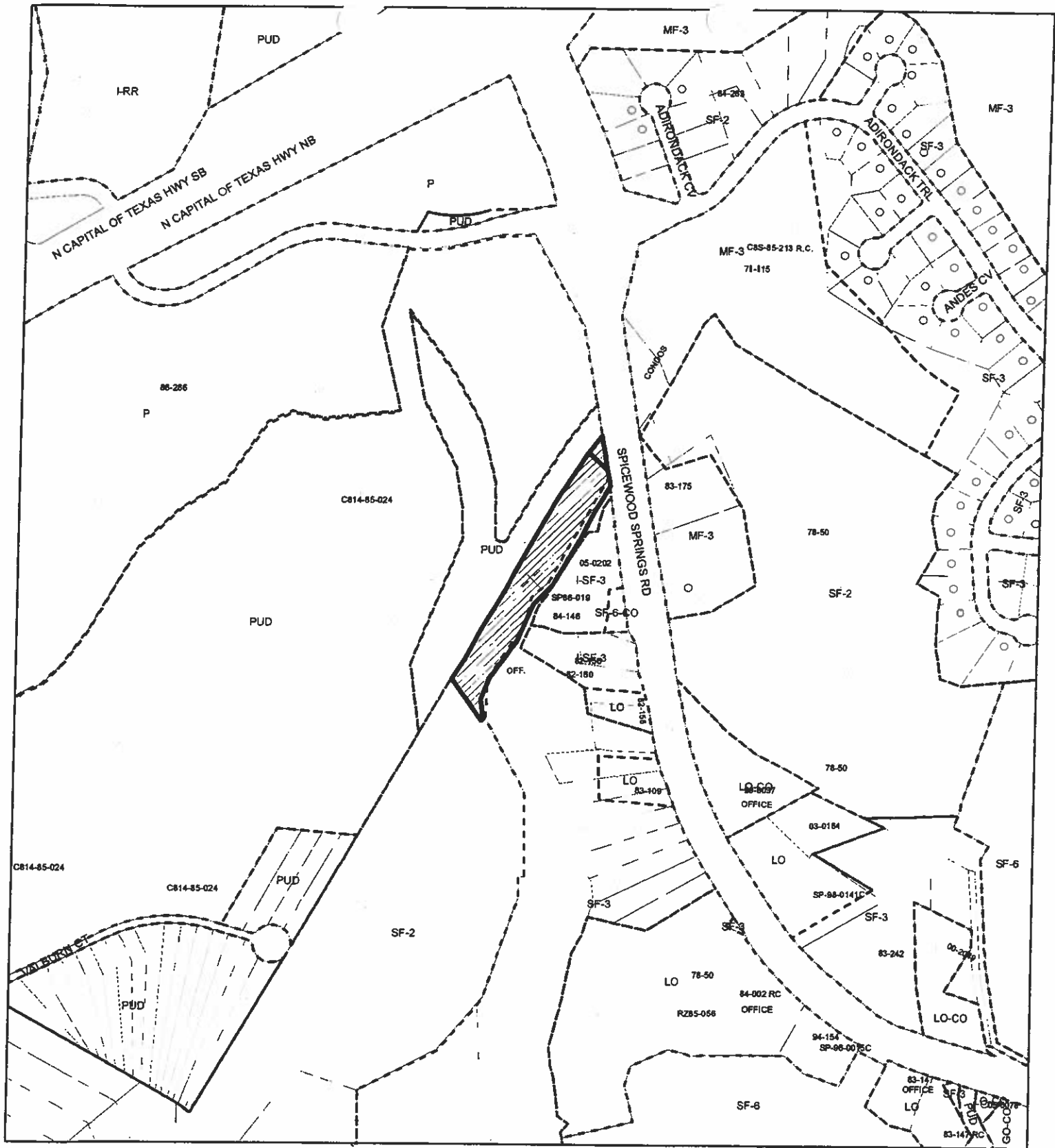
CITY COUNCIL DATE: January 15, 2009

ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD **ORDINANCE NUMBER:**

CASE MANAGER: Clark Patterson
 Clark.patterson@ci.austin.tx.us

PHONE: 974-7691



ZONING

 **SUBJECT TRACT**

 **ZONING BOUNDARY**

 **PENDING CASE**

ZONING CASE#: C14-2008-0128
ADDRESS: 5005 SPICEWOOD SPRINGS RD
SUBJECT AREA: 2.37 ACRES
GRID: H31 & H32
MANAGER: C. PATTERSON

OPERATOR: S. MEEKS



1" = 400'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





Site

Exhibit "B"